

1 LEONARDO M. RAPADAS  
2 United States Attorney  
3 RYAN M. ANDERSON  
4 Special Assistant U.S. Attorney  
5 Suite 500, Sirena Plaza  
6 108 Hernan Cortez Ave.  
7 Hagåtña, Guam 96910  
8 TEL: (671) 472-7332  
9 FAX: (671) 472-7334

10 Attorneys for the United States of America

**FILED**  
DISTRICT COURT OF GUAM

JUN 23 2008 p.d.

**JEANNE G. QUINATA**  
Clerk of Court

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IN THE UNITED STATES DISTRICT COURT  
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,	)	CRIMINAL CASE NO. 08-00024
	)	
Plaintiff.	)	
	)	
vs.	)	PLEA AGREEMENT
	)	
JENNIFER M. AGBANLOG,	)	
	)	
Defendant.	)	

Pursuant to Rule 11(c)(1)(B), the United States and the defendant, JENNIFER M. AGBANLOG, enter into the following plea agreement:

1. The defendant, JENNIFER M. AGBANLOG, agrees to plead guilty to Count I of the Information charging her with Driving Under the Influence of Alcohol, in violation of Title 16, Guam Code Annotated, Section 18102(b), as assimilated by Title 18, United States Code, Sections 7(3) & 13. Count II and Count III of the information will be dismissed after sentencing.

2. The defendant, JENNIFER M. AGBANLOG, represents that she has not, prior to the commission of the offense to which she entered a plea of guilty, been convicted of violating a Federal or State law relating to driving a motor vehicle while under the influence of alcohol or drugs.



Second, that while the defendant operated or was in physical control of a motor vehicle, she had 0.08% or more, by weight, of alcohol in her blood; and

Third, that the offense occurred on land acquired for the use of the United States and under the concurrent jurisdiction thereof.

6. The defendant understands that the Sentencing Guidelines are advisory only. The Court may still utilize the sentencing guidelines as an aid to determine the sentence to be imposed. The government and the defendant stipulate to the following facts for purposes of the sentencing:

- a. The defendant was born in 1986 and is a citizen of the United States; and
- b. That on or about 16 March 2008, in the District of Guam, the defendant, JENNIFER AGBANLOG, at U.S. Naval Base Guam, on land acquired for the use of the United States and under the concurrent jurisdiction thereof, did operate or was in physical control of a motor vehicle while she had 0.08% or more, by weight, of alcohol in her blood. That when the defendant, JENNIFER AGBANLOG, was administered a breathalyzer test, her sample registered a blood alcohol content, by weight, of 0.169%.

7. The United States and the defendant, JENNIFER M. AGBANLOG, agree to recommend the following:

- a. That the defendant participate in and successfully complete an alcohol or drug education program, or both of these programs as designated by the Court;
- b. That the defendant be referred to a qualified substance abuse counselor for an assessment of the person's alcohol dependence and need for treatment;
- c. That the counselor submit a report with recommendations to the Court, which may require the person to obtain appropriate treatment; and
- d. That all costs for such assessment or treatment or both be borne by the defendant;

8. The parties understand and agree that it is the Court's duty to impose sentence upon the defendant, and that any sentence either stipulated to or recommended herein is not binding on the Court.

1           9. The defendant agrees to waive any right to appeal or to collaterally attack her  
2 conviction. The defendant reserves the right to appeal the sentence actually imposed in her case.

3           10. The defendant acknowledges that he has been advised of her rights as set forth below  
4 prior to entering into the plea agreement. Specifically, defendant has been fully advised of, has  
5 had sufficient opportunity to reflect upon, and understands the following:

6           a. The nature and elements of the charge and the mandatory minimum penalty  
7 provided by law, if any, and the maximum possible penalty provided by law;

8           b. Her right to be represented by an attorney;

9           c. Her right to plead not guilty and the right she may have to be tried by a jury and at  
10 that trial, the right to be represented by counsel, the right to confront and cross-examine  
11 witnesses against her, and the right not to be compelled to incriminate herself, that is, the right  
12 not to testify;

13           d. That if she pleads guilty, there will not be a further trial of any kind on the charges  
14 to which such plea is entered so that by entering into the plea agreement, she waives, that is,  
15 gives up, the right to a trial;

16           e. That, upon entry of a plea of guilty, or thereafter, the Court may ask her questions  
17 about the offenses to which she has pled, under oath, and that if she answers these questions  
18 under oath, on the record, her answers may later be used against her in a prosecution for perjury  
19 or false statement if an answer is untrue;


20           f. That she agrees that her plea agreement is voluntary and not a result of any force,  
21 threats or promises apart from her plea agreement;

22           g. That she reads, writes and speaks the English language and has no need for an  
23 interpreter;

24           h. That she has read the plea agreement and understands it; and  
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1 i. That the Defendant is satisfied with the representation of her lawyer and feels that her  
2 lawyer has done everything possible for her defense.

3  
4 6/19/08  
5 DATE

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7   
8 JENNIFER M. AGBANLOG  
9 Defendant


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11 6/19/08  
12 DATE

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15 RICHARD ARENS  
16 Attorney for Defendant

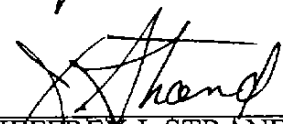
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18 LEONARDO M. RAPADAS  
19 United States Attorney  
20 Districts of Guam and NMI

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22 6/20/08  
23 DATE

24 By:

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27 RYAN M. ANDERSON  
28 Special Assistant U.S. Attorney

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2 6/20/08  
3 DATE

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6 JEFFREY J. STRAND  
7 First Assistant U.S. Attorney